IN THE CLAIMS

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

1.   (Previously presented) A method comprising:

determining sustainable power level for an integrated circuit based upon environmental system thermal characteristics and design characteristics of the integrated circuit;

translating the sustainable power level into a data transfer rate; and

adjusting operation of the integrated circuit such that the data transfer rate is not exceeded.

2.   (Cancelled)

3.   (Previously Presented) The method of claim 1, wherein the environmental system characteristics are stored within the BIOS.

4.   (Cancelled)

5.   (Previously Presented) The method of claim 1, wherein the design characteristics are stored within the integrated circuit.

6.   (Original) The method of claim 1, wherein the integrated circuit comprises a memory module.

7.   (Original) The method of claim 6, wherein the memory module comprises a RDRAM memory module.

8.   (Cancelled)

9.   (Previously presented) The method of claim 1, wherein adjusting operation of the integrated circuit further comprises:

        monitoring an amount of data transferred to and/or from the integrated circuit; and

        reducing the amount of data transferred if the amount of data transferred results in a data transfer rate that exceeds the maximum allowable data transfer rate.

10.   (Previously presented) The method of claim 1, wherein adjusting operation of the integrated circuit further comprises determining an amount of time for which the data transfer rate can be sustained.

11.   (Currently Amended) A apparatus comprising:

        a unit to determine sustainable power level for an integrated circuit based upon environmental system thermal characteristics and design characteristics of the integrated circuit;

a unit to translate the sustainable power level into a data transfer rate; and

a unit to adjust operation of the integrated circuit such that the data transfer rate

is not exceeded.

12.   (Previously Presented) The apparatus of claim 11, wherein design characteristics

stored within the integrated circuit.

13.   (Previously Presented) The apparatus of claim 11, wherein the environmental

system characteristics further include active, idle, and standby power consumption

levels stored within the integrated circuit.

14.   (Original) The apparatus of claim 11, wherein the integrated circuit comprises a

memory module.

15.   (Previously presented) A system comprising:

a RDRAM memory module;

a unit to determine a sustainable power level for the integrated circuit based

upon environmental system thermal characteristics and design characteristics of the

integrated circuit;

a unit to translate the sustainable power level into a data transfer rate; and

a unit to adjust operation of the integrated circuit such that the data transfer rate

is not exceeded.

16.   (Previously Presented) The system of claim 15, wherein the integrated circuit comprises a memory module having at least a portion of the environmental system characteristics stored thereon.

17.   (Previously Presented) The system of claim 15, wherein the environmental system characteristics further include active, idle, and standby power consumption levels stored within the integrated circuit.

18.   (Original) The system of claim 15, wherein the maximum performance characteristic comprises a maximum allowable data transfer rate.

19.   (Previously presented) An article of manufacture comprising a machine readable medium having a plurality of machine readable instructions stored thereon, wherein the instructions, when executed by a processor, cause the processor to:

determine, a sustainable power level for an integrated circuit based upon environmental system thermal characteristics and design characteristics of the integrated circuit;

translate the sustainable power level into a data transfer rate; and

adjust operation of the integrated circuit such that the data transfer rate is not exceeded.

20.   (Original) The article of manufacture of claim 19, further comprising instructions that, when executed by a processor, cause the processor to adjust operation of the integrated circuit by determining an amount of time for which the maximum allowable data transfer rate may be sustained.

21.   (Previously presented) The method of claim 1, wherein said determining is performed by a BIOS.

22.   (Previously presented) The method of claim 1, wherein the design characteristics are stored on a serial presence detect (SPD) device.

23.   (Previously presented) The method of claim 22, wherein the SPD is on the integrated circuit.

24.   (Previously presented) A system comprising:

a RDRAM memory module; and

a machine readable medium having a plurality of machine readable instructions stored thereon, wherein the instructions, when executed by a processor, cause the processor to:

determine a sustainable power level for an integrated circuit based upon environmental system thermal characteristics and design characteristics of the integrated circuit;

translate the sustainable power level into a data transfer rate; and

adjust operation of the integrated circuit such that the data transfer rate is not exceeded.

25.   (Previously presented) An apparatus comprising:

means for determining a sustainable power level for an integrated circuit based upon environmental system thermal characteristics and design characteristics of the integrated circuit;

means for translating the sustainable power level into a data transfer rate; and

means for adjusting operation of the integrated circuit such that the data transfer rate is not exceeded.